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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/052,513	01/23/2002	Shunichi Matsumoto	520.41109X00	4984	
20457 75	590 10/21/2003		EXAMINER		
20131	, TERRY, STOUT & K	YOUNG, CHRISTOPHER G			
1300 NORTH S	SEVENTEENTH STREE	ART UNIT	PAPER NUMBER		
SUITE 1800 ARLINGTON,	VA 22209-9889		1756		
·			DATE MAILED: 10/21/200	3	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Application   Applicant(s)   Application   Appl									
Christopher G. Young   1755   1756   1756   1755		Application No.		Applicant(s)	<i>I I</i>				
Christopher G. Young	_	10/052,513		MATSUMOTO ET	AL.				
Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM  THE MAILING DATE OF THIS COMMUNICATION.  Elementor of time may be available under the processor 37 CFR 1.35(a). In or event, however, may a reply be timely feed after 50 (c) 940/HIS to the ment by a variable under the processor 37 CFR 1.35(a). In or event, however, may a reply be timely feed after 50 (c) 940/HIS from the mental gides of the communication.  Fallows to only within the set or extended prior of or reply will, by statute, eause the application become ABADONED (35.13.5 c) 31.3 (a) 1.3 (b) 1.3 (c) 1.	Office Action Summary	Examiner		Art Unit					
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Application/Control Number: 10/052,513

Art Unit: 1756

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-16, drawn to a method of processing a semiconductor device, classified in class 430, subclass 22.
  - II. Claims 17-20, drawn to a system for processing a semiconductor device, classified in class 356, subclass 399.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions of Group I and of Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the system could be utilized for a materially different method such as overall flood exposure that does not require specific alignment.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher G. Young whose telephone number is 703-308-2984. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 703-308-2464. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Christopher G. Young Primary Examiner

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